GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVANTS – Prohibition & Excise Department – Sri M. Bhaskara Rao, P&E Assistant Commissioner (Retired) involved in the liquor syndicate case of Ananthapur District – Implemented the orders dated 07.09.2020 in W.P.No.14465 of 2020 of Hon'ble High Court - Sanctioned Pensionary benefits – Implemented the orders dated 17.03.2023 in W.P.No.5695 of 2023 filed by Sri M.Bhaskara Rao, Assistant Commissioner (Retired), Visakhapatnam District for payment of interest on delayed pensionary benefits – Orders – Issued.

REVENUE (VIGILANCE-IV) DEPARTMENT

G.O.Rt.No.740 **Dated:14.08.2023**

Read the following:-

1. From the DG, ACB, Lr.Rc.No.67/RCO-ATP/2012-S14, Dated:07-11-2012
2. Govt. Memo.No.49904/VIG.V(2)/2012-1, dated:21-12-2012.
3. Orders dated 07.09.2020 of Hon'ble High Court in W.P.No.14465 of 2020 filed by Sri M.Bhaskara Rao, Assistant P&E Commissioner (Retired)
4. G.O.Rt.No.255 Revenue(Vig.III) Dept, dated:18.04.2022.
5. Orders dated:17.03.2023 of Hon'ble High Court in W.P.No.5695 of 2023 filed by Sri M.Bhaskara Rao, Assistant P&ECommissioner (Retired), Visakhapatnam District
6. Representation dated:Nill (received dated:27.03.2023) from Sri M.Bhaskara Rao, Assistant P&E Commissioner (Retired), Visakhapatnam District.
7. Letter.Cr.No.2130/2021/CPE/C4, dated:12.04.2023 from the Commissioner of Proh.& Excise Dept, AP, Vijayawada

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O R D E R :

Whereas Sri M.Bhaskara Rao, P&E Assistant Commissioner (Retired), while in service was involved in the Liquor Syndicate case of Ananthapur district along with other Prohibition and Excise officials and recommended his case to TDP by DG, ACB. After following due procedure, Government entrusted his cases to TDP along with other P&E officials. The TDP has issued charge memo against him in TEC Nos.287/2013, dated 20.09.2019. Sri M.Bhaskara Rao, Assistant Commissioner (Retired) filed W.P.No.14465/2020 before the Hon'ble High Court on the charge memo. The Hon'ble High Court in it orders dated 07.09.2020 directed the respondents to conclude the enquiry within three months from the date of receipt of the order, failing which the charge memo shall stand closed. He was retired from service on 31.05.2021.

2. Whereas, in the reference 4th read above, the Government issued orders implementing the orders of Hon'ble High Court and sanctioned pensionery benefits to Sri M.Bhaskara Rao, Asst. Commr.(Retd).

4. Whereas in the reference 5th read above, Sri M.Bhaskara Rao, Assistant Commissioner (Retired) has filed W.P.No.5695 of 2023 before the Hon'ble High Court for payment of 9% p.a. interest on delayed Retirement benefits in terms of the orders passed in W.A.No.383 of 2022, dated 12-7-2022.

5. And whereas, the Hon'ble High Court in its order dated 17.03.2023 in W.P.No.5695 of 2023 has passed orders directing the respondent to pay the retirement monetary benefits to be payable and along with interest @ 9% p.a. on the delayed retirement benefits i.e., Full Pension, Gratuity, Encashment of Earned Leave, and Commutation of Pension, from the date of retirement to till the date of actual payments made to the petitioner, in terms of the judgment dated 12.07.2022 passed by the Division Bench of this Court in Writ Appeal No.383 of 2022.

6. And whereas in the reference 7th read above, the Commissioner of Prohibition & Excise, while enclosing a copy of the representation of Sri M.Bhaskara Rao, Assistant Commissioner (Retired)., has requested the Government to take further necessary action for sanction of interest @ 9% on the delayed payments of pensionery benefits to avoid any further legal complication in the matter.

(PTO)

7. Government after careful examination of the matter, and keeping in view of the orders dated 17.03.2023 in W.P.No.5695 of 2023 filed by Sri M.Bhaskara Rao, Assistant Commissioner (Retired)., have decided to implement the orders of Hon'ble High Court dated 17.03.2023 and to pay the interest @ 9% p.a. on the delayed pensionery benefits to Sri M.Bhaskara Rao, Retired P&E Assistant Commissioner.

8. Accordingly, Government hereby order to pay the interest @ 9% p.a. on the delayed pensionery benefits i.e., Full Pension, Gratuity, Encashment of Earned Leave, and Commutation of Pension, from the date of retirement to till the date of actual payments made to Sri M.Bhaskara Rao, Retired P&E Assistant Commissioner.

9. The Commissioner of Prohibition and Excise shall take further necessary action in the matter, accordingly.

10. This order issues with concurrence of Finance (HR) Department vide their UO.No.FIN 01-HROMISC/59/2023-HRIII,dated:12.07.2023.

Dr. RAJAT BHARGAV
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To,
Sri M.Bhaskara Rao, Assistant Commissioner (Retired), through the Commissioner of Prohibition and Excise Department, AP, Vijayawada
The Commissioner of Prohibition and Excise Department, AP, Vijayawada
Copy to:
The Finance (HR-III) Department, A.P.Secretariat, Velagapudi.
The Accountant General, Andhra Pradesh, Vijayawada.
The Director of Treasuries and Accounts, AP, Vijayawada.
The Dy.Commr of P&E Dept., Visakhapatnam.
The Asst.Commr of P&E , Visakhapatnam.
Sc/Sf

//FORWARDED::BY ORDER//

SECTION OFFICER